

C15

**PLANNING COMMISSION SITE PLAN
CONDITIONAL USE PERMIT REVIEW SHEET**

CASE NUMBER: SPC-2010-0058A **PC COMMISSION DATE:** June 22, 2010

PROJECT NAME: Texas College of Traditional Chinese Medicine

ADDRESS: 4005 Manchaca

AREA: 20,918 sq. ft.

APPLICANT: CK & TL, L.P.
5404 Rain Creek Pkwy
Austin, TX 78759
(512) 914-8888

AGENT: Land Answers (Jim Wittliff)
3606 Winfield Cove
Austin, TX 78704
(512) 416-6611

PROPOSED DEVELOPMENT:

Approve a Conditional Use Permit for the Texas College of Traditional Chinese Medicine. The civic use of College and University Facilities is a Conditional Use in LO zoning. The use will be in the existing building, with existing parking. No construction is proposed with this site plan. The site has been occupied by the Texas College of Traditional Chinese Medicine, which is an accredited college facility, since 1986.

SUMMARY STAFF RECOMMENDATION:

Staff recommendation is to approve the Conditional Use Permit for the Texas College of Traditional Chinese Medicine.

EXISTING ZONING: LO

NEIGHBORHOOD ORGANIZATION:

- 498—South Central Coalition
- 511—Austin Neighborhoods Council
- 786—Home Builders Association of Greater Austin
- 742—Austin Independent School District
- 926—South Lamar Neighborhood Assn.
- 943—Save our Springs Alliance
- 1037—Homeless Neighborhood Assn.
- 1075—League of Bicycling Voters
- 1107—Perry Grid 614
- 1113—Austin Parks Foundation
- 1200—Super Duper Neighborhood Objectors and Appealers Organization
- 1224—Austin Monorail Project
- 1228—Sierra Club, Austin Regional Group
- 1236—The Real Estate Council of Austin, Inc

AREA STUDY: N/A

WATERSHED: West Bouldin Creek (Urban)

APPLICABLE WATERSHED ORDINANCE: Current/ Comprehensive Watershed Ordinance**CAPITOL VIEW:** N/A**T.I.A.:** Not Required**CASE MANAGER:** Donna Galati

Telephone: 974-2733

Donna.Galati@ci.austin.tx.us**PROJECT INFORMATION:****ZONING:** LO (20,918 sq. ft.)**MAX. BLDG. CVRG:** 50%**EXISTING BLDG CVRG:** 22%**MAX. IMP. CVRG:** 70%**EXISTING IMPERV. CVRG.:** 69.89%**/PROPOSED USE:** Texas College of Traditional Chinese Medicine, College & University Facilities**SUMMARY COMMENTS ON SITE PLAN:**

Land Use: The applicant is requesting approval of a Conditional Use Permit for the Texas College of Traditional Chinese Medicine. The existing building has been occupied by the Texas College of Traditional Chinese Medicine, which is an accredited college facility, since 1986. It was previously permitted as Administrative and Business Office use. "College and University Facilities" is a civic use, and requires a Conditional Use Permit.

This site meets all compatibility requirements. The single family property to the East (rear) of the site is owned by the Texas College of Traditional Chinese Medicine and is occasionally used by the students.

Transportation: A traffic impact analysis was not required. All transportation comments are cleared.

Environmental: The site is in the West Bouldin Creek watershed, which is classified as urban. The site is not located over the Edward's Aquifer Recharge Zone. This site is in the Desired Development Zone. All environmental comments are cleared.

SURROUNDING CONDITIONS:**Zoning/ Land Use**

North: LO (Montessori School)
East: SF-3 (Single Family, owned by the same owners and occasionally used by the students)
South: LO (Multifamily)
West: Manchaca Rd., then LO (Dental Office)

Street

Manchaca Rd

R.O.W.

82'

Surfacing

42'

Classification

Arterial

CONDITIONAL USE PERMIT REVIEW AND EVALUATION CRITERIA

The following evaluation is included to provide staff position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states: "The Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section.

A conditional use site plan must:

1. **Comply with the requirements of this title;** Staff response: This application complies with the requirements of this title.
2. **Comply with the objectives and purposes of the zoning district;** Staff response: This application complies with the objectives and purposes of the zoning district.
3. **Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that are compatible with the use of an abutting site;** Staff response: This application is compatible with the abutting sites in all of these cases.
4. **Provide adequate and convenient off-street parking and loading facilities;** Staff response: This site complies with all off-street parking requirements.
5. **Reasonably protect persons and property from erosion, flood, fire, noises, glare, and similar adverse effects;** Staff response: The proposed project does not contribute to any of these adverse effects.
6. **For conditional use located within the East Austin Overlay district, comply with the goals and objectives of a neighborhood plan adopted by the City Council for the area in which the use is proposed.** Staff response: The proposed project is not in the East Austin Overlay.

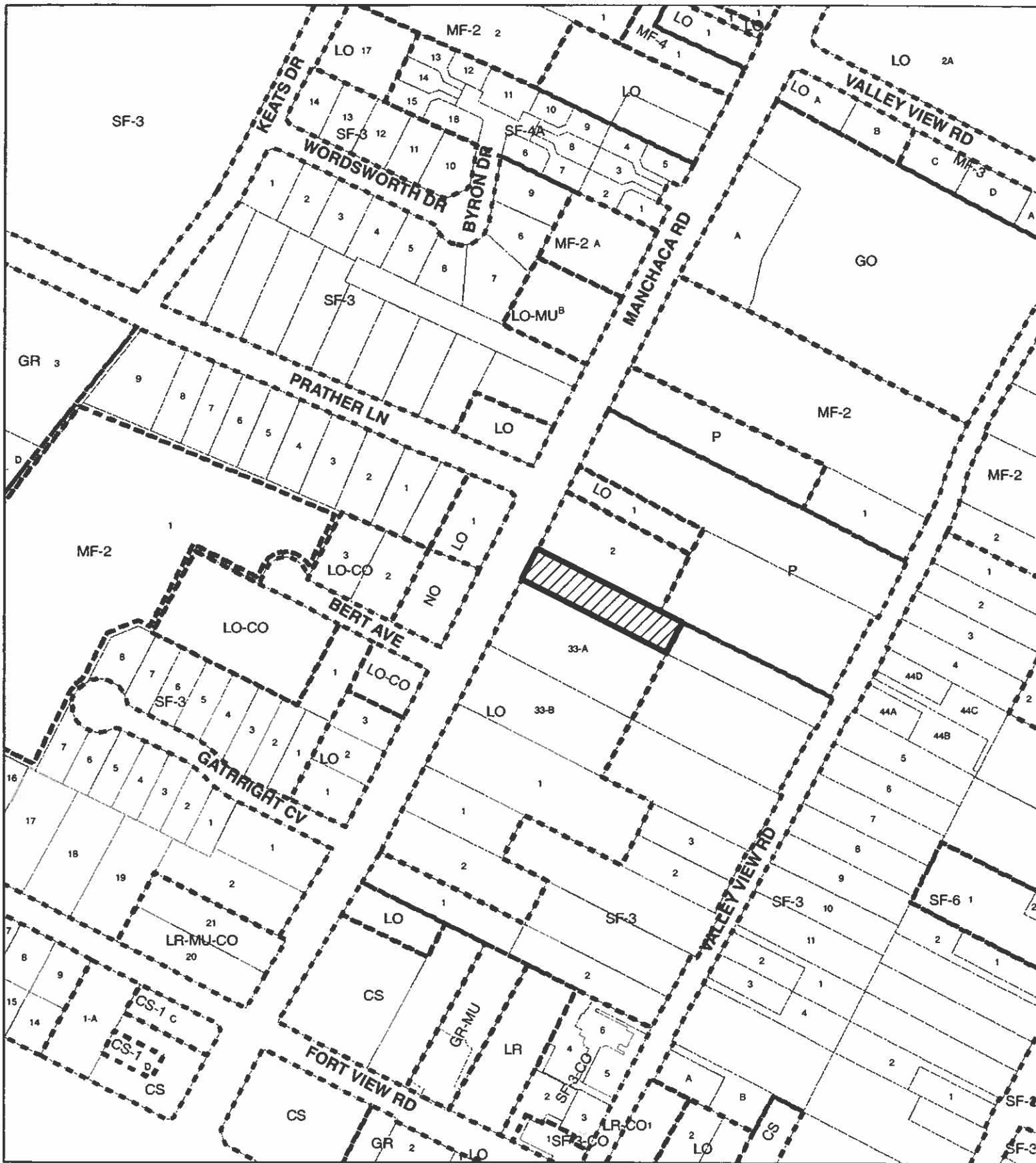
A Conditional Use Site Plan May Not:

1. **more adversely affect an adjoining site than would a permitted use;** Staff response: The site plan will conform with all regulations and standards established by the Land Development Code.
2. **adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;** Staff response: Access is limited into the site, and surrounding vehicular circulation in the area of the project is not anticipated to have any detriment of safety or convenience.
3. **adversely affects an adjacent property or traffic control through the location, lighting, or type of signs;** Staff response: No signage or lighting is proposed that would affect adjacent properties or traffic control.

D. A site plan may not adversely affect the public health, safety, or welfare, or materially injure property. If the Land Use Commission determines that a site plan has an adverse effect or causes a material injury under this subsection, the Land Use Commission shall identify the adverse effect or material injury.

Section 25-5-146 Conditions of Approval of the Land Development Code states:

- (A) To make a determination required for approval under Section 25-5-145 (Evaluation of Conditional Use Site Plan), the Land Use Commission *may require* that a conditional use site plan comply with a condition of approval that includes a requirement for:
- (1) a special yard, open space, buffer, fence, wall, or screen;
 - (2) landscaping or erosion;
 - (3) a street improvement or dedication, vehicular ingress & egress, or traffic circulation;
 - (4) signs;
 - (5) characteristics of operation, including hours;
 - (6) a development schedule; or
 - (7) other measures that the Land Use Commission determines are required for compatibility with surrounding uses or the preservation of public health, safety, or welfare.



SITE PLAN



SUBJECT TRACT



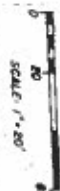
ZONING BOUNDARY

CASE#: SPC-2010-0058A
 ADDRESS: 4005 Manchaca
 CASE NAME: Texas College of Traditional Chinese Medicine
 MANAGER: Donna Galati

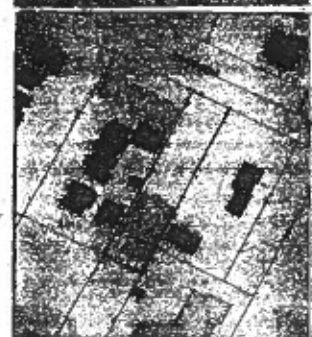
OPERATOR: Donna Galati

This map has been produced by site plan review for the sole purpose of geographic reference.
 No warranty is made by the City of Austin regarding specific accuracy or completeness.





4005 MAINLARCH RD
AUSTIN, TX 78704



This is a detailed architectural floor plan of a building. The plan is oriented vertically. At the top, there is a large rectangular area labeled 'GARDEN' with a small structure inside. Below the garden is a long, narrow rectangular room with several smaller rooms branching off. In the center of the plan is a large circular area with a smaller circle inside it, labeled 'COURT'. To the right of the central court is a large rectangular room with a smaller room branching off. At the bottom of the plan is a large rectangular room with a smaller room branching off. The plan includes various labels for rooms and areas, such as 'KITCHEN', 'BATH', 'BED ROOM', 'LIVING ROOM', 'DINING ROOM', 'HALL', 'CLOSET', 'PORCH', 'GARDEN', 'COURT', 'STAIRS', 'ELEVATOR', 'REAR PORCH', 'FRONT PORCH', 'GARAGE', 'DRIVE', 'WALK', 'FENCE', 'GATE', 'WALL', 'DOOR', 'WINDOW', 'CLOSET', 'BATH', 'KITCHEN', 'DINING ROOM', 'LIVING ROOM', 'BED ROOM', 'HALL', 'PORCH', 'GARAGE', 'DRIVE', 'WALK', 'FENCE', 'GATE', 'WALL', 'DOOR', 'WINDOW'. The plan also shows a north arrow pointing towards the top right.

with Third District Agents in efforts to the Federal Emergency Management Agency (FEMA) Third District East Bay Office.

[illegible]

Age (Years)
Last Addressed by
1999 Census (C)
Age, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892,

1. List the International Activities (See 4010-1053) Name of Company or Institution Where Conducted Address City State Zip		2. List the International Activities (See 4010-1053) Name of Company or Institution Where Conducted Address City State Zip
3. List the International Activities (See 4010-1053) Name of Company or Institution Where Conducted Address City State Zip	4. List the International Activities (See 4010-1053) Name of Company or Institution Where Conducted Address City State Zip	5. List the International Activities (See 4010-1053) Name of Company or Institution Where Conducted Address City State Zip

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact listed on a notice*); or
- appearing and speaking for the record at the public hearing;

- and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
 - is the record owner of property within 500 feet of the subject property or proposed development; or
 - is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SPC-2010-0058A

Contact: Donna Galati, 512-974-2733 or Elsa Garza, 512-974-2308

Public Hearing: Planning Commission, Jun 22, 2010

Your Name (please print) _____



Your address(es) affected by this application _____

Signature _____

Date _____

Daytime Telephone: _____

Comments: _____

If you use this form to comment, it may be returned to:

City of Austin
Planning and Development Review – 4th floor
Donna Galati
P. O. Box 1088
Austin, TX 78767-8810

INTERESTED PARTY INFORMATION

Interested parties are specifically defined in section 25-1-131 of the City Code. To view the Code on-line, go to this link:
http://www.amlegal.com/austin_tx/.

Besides the applicant or owner listed in an application, a person can become an interested party if they communicate an interest to the City and if they satisfy at least one of the following criteria: 1) they occupy a primary residence that is within 500 feet of the site of the proposed development; 2) they are the record owner of property within 500 feet of the site of the proposed development; or 3) they are an officer of an environmental or neighborhood organization that has an interest in the site of the proposed development or whose declared boundaries are within 500 feet of the site of the proposed development.

If a person satisfies the criteria to become an interested party, they must communicate an interest by either delivering a written statement to the Land Use Commission conducting the hearing or appearing and speaking for the record at the public hearing. A person may also provide a written statement to the Case Manager or by making telephone contact with the Case Manager. The communication must: 1) generally identify the issues of concern; 2) include the person's name, telephone phone number, and mailing address; and 3) if the communication is by telephone, be confirmed in writing.

Written comments concerning the site plan application may be submitted to the case manager on this form. Comments on a separate form should include the case number and the contact person listed on the notice.

Case Number: SPC-2010-0058A

Contact: Donna Galati, 974-2733 or Elsa Garza, 974-2308

☒ I am in favor ☐ I object

☐ I meet the requirements for and request to be an interested party

Name (please print) Leopoldo C. Villalobos Telephone number 444-2494

Address(es) affected by this application (Street, City, ZIP Code) 4022- Manchaca Austin 78704

Mailing address (Street, City, ZIP Code)

Signature [Signature] Date 4-09-2010

Comments: _____

Mail comment forms to:

City of Austin

Planning and Development Review Department

Attn: Donna Galati

P. O. Box 1088

Austin, TX 78767-1088

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☒ I am in favor ☐ I object

☐ I meet the requirements for and request to be an interested party

Name (ple

Telephone number

Address(e.



Laura Mazurkiewicz
3815 Manchaca Rd. Apt. 35
Austin, TX 78704

ote)

Mailing address (Street, City, ZIP Code)

Signature

Date

Comments:

Mail comment forms to:

City of Austin

Planning and Development Review Department

Attn: Donna Galati

P. O. Box 1088

Austin, TX 78767-1088

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Case Number: SPC-2010-0058A
Contact: Donna Galati, 974-2733 or Elsa Garza, 974-2308

☒ I am in favor ☐ I object

☐ I meet the requirements for and request to be an interested party

Name (please print) Lisa L. N. Telephone number 512-346-0469

Address(es) affected by this application (Street, City, ZIP Code) 4005 Hawthorne Rd 78704 Austin

Mailing address (Street, City, ZIP Code) 5404 RAIN CREEK PKY 78759

Signature Date 4/11/2010

Comments:

Mail comment forms to:

City of Austin

Planning and Development Review Department

Attn: Donna Galati

P. O. Box 1088

Austin, TX 78767-1088

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Contact: Donna Galati, 974-2733 or Elsa Garza, 974-2308

☒ I am in favor ☐ I object

☐ I meet the requirements for and request to be an interested party

Name (please print)

Paul C. Lin

Telephone number

512-6555888

Address(es) affected by this application (Street, City, ZIP Code)

4004 Valley View Rd TX 78704

Mailing address (Street, City, ZIP Code)

4004 Valley View Rd TX 78704

Signature

Date

Comments:

Mail comment forms to:

City of Austin

Planning and Development Review Department

Attn: Donna Galati

P. O. Box 1088

Austin, TX 78767-1088